



SUPREME COURT, COUNTY OF ERIE

Index No: 808523/2021

Date Index Issued: 06/29/2021

For Court Use Only:

CAPTION (Enter the complete case caption. Do not use et al or et ano. If more space is needed, attach a caption rider sheet.)

ERIC C. MARTIN

Plaintiff(s)/Petitioner(s)

-against-

TOWN OF TONAWANDA POLICE DEPARTMENT o/b/o the TOWN OF TONAWANDA, SPEEDWAY, LLC, and JOHN DOE #1, 2, 3, 4, 5, 6, 7, 8 as employees of Defendant, TOWN OF TONAWANDA

Defendant(s)/Respondent(s)

IAS Entry Date

Judge Assigned

RJI Filed Date

NATURE OF ACTION OR PROCEEDING Check only one box and specify where indicated.

COMMERCIAL

- ☐ Business Entity (includes corporations, partnerships, LLCs, LLPs, etc.)
  - ☐ Contract
  - ☐ Insurance (where insurance company is a party, except arbitration)
  - ☐ UCC (includes sales and negotiable instruments)
  - ☐ Other Commercial (specify):
- NOTE: For Commercial Division assignment requests pursuant to 22 NYCRR 202.70(d), complete and attach the COMMERCIAL DIVISION RJI ADDENDUM (UCS-840C).

TORTS

- ☐ Asbestos
- ☐ Child Victims Act
- ☐ Environmental (specify):
- ☐ Medical, Dental or Podiatric Malpractice
- ☐ Motor Vehicle
- ☐ Products Liability (specify):
- ☐ Other Negligence (specify):
- ☐ Other Professional Malpractice (specify):
- ☒ Other Tort (specify): False Imprisonment

SPECIAL PROCEEDINGS

- ☐ Child-Parent Security Act (specify): ☐ Assisted Reproduction ☐ Surrogacy Agreement
- ☐ CPLR Article 75 – Arbitration [see NOTE in COMMERCIAL section]
- ☐ CPLR Article 78 – Proceeding against a Body or Officer
- ☐ Election Law
- ☐ Extreme Risk Protection Order
- ☐ MHL Article 9.60 – Kendra’s Law
- ☐ MHL Article 10 – Sex Offender Confinement (specify): ☐ Initial ☐ Review
- ☐ MHL Article 81 (Guardianship)
- ☐ Other Mental Hygiene (specify):
- ☐ Other Special Proceeding (specify):

MATRIMONIAL

- ☐ Contested
- NOTE: If there are children under the age of 18, complete and attach the MATRIMONIAL RJI ADDENDUM (UCS-840M).  
For Uncontested Matrimonial actions, use the Uncontested Divorce RJI (UD-13).

REAL PROPERTY Specify how many properties the application includes:

- ☐ Condemnation
  - ☐ Mortgage Foreclosure (specify): ☐ Residential ☐ Commercial  
Property Address:
- NOTE: For Mortgage Foreclosure actions involving a one to four-family, owner-occupied residential property or owner-occupied condominium, complete and attach the FORECLOSURE RJI ADDENDUM (UCS-840F).
- ☐ Partition
- NOTE: Complete and attach the PARTITION RJI ADDENDUM (UCS-840P).
- ☐ Tax Certiorari (specify): Section: Block: Lot:
  - ☐ Tax Foreclosure
  - ☐ Other Real Property (specify):

OTHER MATTERS

- ☐ Certificate of Incorporation/Dissolution [see NOTE in COMMERCIAL section]
- ☐ Emergency Medical Treatment
- ☐ Habeas Corpus
- ☐ Local Court Appeal
- ☐ Mechanic’s Lien
- ☐ Name Change/Sex Designation Change
- ☐ Pistol Permit Revocation Hearing
- ☐ Sale or Finance of Religious/Not-for-Profit Property
- ☐ Other (specify):

STATUS OF ACTION OR PROCEEDING Answer YES or NO for every question and enter additional information where indicated.

- |                                                                 | YES                              | NO                               |                                 |
|-----------------------------------------------------------------|----------------------------------|----------------------------------|---------------------------------|
| Has a summons and complaint or summons with notice been filed?  | <input checked="" type="radio"/> | <input type="radio"/>            | If yes, date filed: 06/29/2020  |
| Has a summons and complaint or summons with notice been served? | <input checked="" type="radio"/> | <input type="radio"/>            | If yes, date served: 07/09/2020 |
| Is this action/proceeding being filed post-judgment?            | <input type="radio"/>            | <input checked="" type="radio"/> | If yes, judgment date:          |

NATURE OF JUDICIAL INTERVENTION Check one box only and enter additional information where indicated.

- ☐ Infant’s Compromise
- ☐ Extreme Risk Protection Order Application
- ☐ Note of Issue/Certificate of Readiness
- ☐ Notice of Medical, Dental or Podiatric Malpractice Date Issue Joined:
- ☐ Notice of Motion Relief Requested: Return Date:
- ☐ Notice of Petition Relief Requested: Return Date:
- ☐ Order to Show Cause Relief Requested: Return Date:
- ☐ Other Ex Parte Application Relief Requested:
- ☐ Partition Settlement Conference
- ☐ Poor Person Application
- ☒ Request for Preliminary Conference
- ☐ Residential Mortgage Foreclosure Settlement Conference
- ☐ Writ of Habeas Corpus
- ☐ Other (specify):

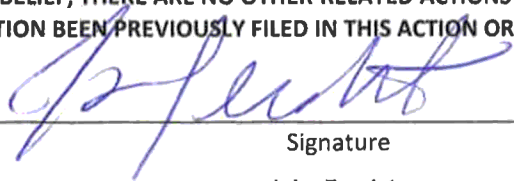
Case Title	Index/Case Number	Court	Judge (if assigned)	Relationship to instant case

**PARTIES** For parties without an attorney, check the "Un-Rep" box and enter the party's address, phone number and email in the space provided. If additional space is required, complete and attach the RJI ADDENDUM (UCS-840A).

Un-Rep	Parties List parties in same order as listed in the caption and indicate roles (e.g., plaintiff, defendant, 3 <sup>rd</sup> party plaintiff, etc.)	Attorneys and Unrepresented Litigants For represented parties, provide attorney's name, firm name, address, phone and email. For unrepresented parties, provide party's address, phone and email.	Issue Joined For each defendant, indicate if issue has been joined.	Insurance Carriers For each defendant, indicate insurance carrier, if applicable.
<input type="checkbox"/>	Name: ERIC C. MARTIN Role(s): Plaintiff	John Feroletto, Feroletto Law, 438 Main St., #910, Buffalo, NY 14202, 716-854-0700, john.feroletto@ferolettolaw.com	<input checked="" type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: TTPD obo Town of Tonawanda Role(s): Defendant	Paul G. Joyce, Colucci & Gallaher, PC, 424 Main St., #2000, Buffalo, NY 14202, 716-853-4080, PJoyce@colucci-gallaher.com	<input checked="" type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: SPEEDWAY LLC Role(s): Defendant	Brittany L. Hannah, Sugarman Law Firm, LLP, 211 W Jefferson St., #20, Syracuse, NY 13202, 315-474-2943, bhannah@sugarmanlaw.com	<input checked="" type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	

I AFFIRM UNDER THE PENALTY OF PERJURY THAT, UPON INFORMATION AND BELIEF, THERE ARE NO OTHER RELATED ACTIONS OR PROCEEDINGS, EXCEPT AS NOTED ABOVE, NOR HAS A REQUEST FOR JUDICIAL INTERVENTION BEEN PREVIOUSLY FILED IN THIS ACTION OR PROCEEDING.

Dated: 03/18/2022

  
Signature  
John Feroletto  
Print Name

Attorney Registration Number